

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 11-20312-3

TOBIAS MILLER,

Defendant.

ORDER FOR IMMEDIATE REMAND TO CUSTODY

Defendant Tobias Miller appeared before this court for sentencing on December 5, 2016. The court imposed twelve months and one day of incarceration, to be followed by a two-year term of supervised release with conditions. The court granted also Defendant the opportunity to voluntarily surrender at his designated institution.

On December 15, 2016, the court received credible information from the probation officer that a woman had accused Defendant of stealing her wallet. The information indicated that the woman gave Defendant a ride at around 2:15 a.m. on December 8 (less than 48 hours after Defendant's sentencing). No one other than Defendant has access to the place the wallet was left. The court has determined that Defendant appears, with sufficient clarity, to have engaged in behavior inconsistent with voluntary surrender. This court issued a warrant for his arrest. (Dkt. ## 97, 98.) Defendant appeared with counsel before a United States Magistrate Judge on January 17, 2017, where an unsecured bond was set and Defendant was directed to voluntarily report on his surrender date of February 14, 2017. Notwithstanding the magistrate

judge's direction, this court finds that Defendant's behavior is inconsistent with bond continuation. Accordingly,

IT IS ORDERED that Defendant is ORDERED to report on Monday, January 20, 2017 at 12:00 noon, to the United Marshal Service, United States Courthouse, 1405 Greenup Avenue, Ashland, Kentucky, 41101 and submit himself to the custody of the United States Bureau of Prisons to begin serving his term of imprisonment without further delay.

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/s/ Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 19, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 19, 2017, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522